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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,969	10/10/2006	Junya Ohde	286085US6PCT	8866
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
HUERTA, ALEXANDER Q				
ART UNIT		PAPER NUMBER		
2623				
NOTIFICATION DATE		DELIVERY MODE		
09/08/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/568,969

**Applicant(s)**

OHDE ET AL.

**Examiner**

ALEXANDER Q. HUERTA

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-42 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 22-42 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 22 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 22-26, 32-36, 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlack et al. (United States Patent Application Publication 2002/0129368), in view of Zimmerman (United States Patent Application Publication 2002/0140728), herein referenced as Schlack and Zimmerman, respectively.

Regarding **claim 22**, Schlack discloses "an information providing apparatus (set-top box 220) for providing added-value information associated with content viewing selection" ([0069], [0127], Fig. 2A). The apparatus comprising:

"a viewing log (viewer profile 293) information acquiring block for acquiring a viewing log associated with viewing of content by a user" ([0135], Fig. 2B, i.e. the VCPS monitors the interactivity of the viewers to generate a viewer profile);

"a content-associated information acquiring block for acquiring information associated with each piece of content included in a viewing log" ([0071], [0127], [0160]-[0166], [0168]);

"an added-value information generating block for measuring an appearance frequency for each attribute type in content-associated information aggregated for each user to generate added information associated with content viewing selection on the

basis of a predetermined number of attribute values of attribute values ranked high in appearance frequency in each attribute type ([0175], [0176], [0184], [0190], [0191], Fig. 16, 20, 23-24).

Schlack fails to explicitly disclose "a presentation-information transmitting block for transmitting a signal to present added-information to a user".

Zimmerman discloses "a presentation-information transmitting block for transmitting a signal to present added-information to a user" ([0012], [0021], [0023], Figs. 1-3). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of displaying added-information to a user as taught by Zimmerman, to improve the profiling system of Schlack for the predictable result of enabling the user to see their viewing preferences profile so that they can determine their favorite genres or programs.

Regarding **claim 23**, Schlack discloses that "said viewing log information acquiring block acquires, as a viewing log, **at least one operation log of viewing**, recording, timer-recording setting, voting or evaluation, and purchase executed by the user" ([0160]-[0166], [0168]).

Regarding **claim 24**, Schlack discloses that "said viewing log information acquiring block acquires, via a communication route ([0128], i.e. user interface 224), viewing log information acquired on a device for receiving or recording/reproducing content by the user, aggregates acquired viewing log information for each user" ([0135], [0175], [0176], [0184], [0213]);

"said content-associated information acquiring block searches a content information database storing attribute information of each piece of content to acquire content-associated information" ([0073], [0135], i.e. the profile engine searches the program database and correlates the program data with recorded events to produce a user profile).

Schlack fails to explicitly disclose that "said presentation-information transmitting block presents added-information to the user via said communication route".

Zimmerman discloses that "said presentation-information transmitting block presents added-information to the user via said communication route" ([0012], [0021], [0023], Figs. 1-3, i.e. one of ordinary skill in the art would recognize that the display of the user profile would be transmitted to the user via a television display or the like, which meets the limitation a "communication route"). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of displaying added-information to a user via a communication route as taught by Zimmerman, to improve the profiling system of Schlack for the predictable result of enabling the user to see their viewing preferences profile so that they can determine their favorites genres or programs.

Regarding **claim 25**, Schlack discloses that "said viewing log information acquiring block holds, in a device, viewing log information acquired on said device for receiving or recording/reproducing content by the user" [0131];

"said content-associated information acquiring block acquires content-associated information about each piece of content included in a viewing log via a predetermined communication route" ([0127], [0128], [0160]-[0166], [0168]); and

"said added-information creating block creates added-information in said device" ([0175], [0176], [0184], Figs. 17, 20).

Regarding **claim 26**, Schlack fails to explicitly disclose that "said presentation-information transmitting block presents, to the user, an added information screen that includes a list of attribute values high in appearance frequency in each attribute type".

Zimmerman discloses that "said presentation-information transmitting block presents, to the user, an added information screen that includes a list of attribute values high in appearance frequency in each attribute type" ([0012], [0021], [0023], Figs. 1-3). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of displaying added-information to a user as taught by Zimmerman, to improve the profiling system of Schlack for the predictable result of enabling the user to see their viewing preferences profile so that they can determine their favorite genres or programs.

Regarding **claims 32-36**, claims 32-36 are interpreted and thus rejected for the reasons set forth above in the rejection of claims 22-26. Claims 22-26 describe an information providing apparatus for providing added-value information associated with content viewing selection and claims 32-36 describe a method implementing the apparatus. Thus, claims 32-36 are rejected.

Regarding **claim 42**, claim 42 is interpreted and thus rejected for the reasons set forth above in the rejection of claim 22. Claim 22 describes an information providing apparatus for providing added-value information associated with content viewing

selection and claim 42 describes a computer program written in a computer-readable form. Thus, claim 42 is rejected.

**Claims 27, 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlack in view of Zimmerman, and in further view of Macrae et al. (United States Patent Application Publication 2005/0015803), herein referenced as Macrae.

Regarding **claim 27**, Schlack fails to explicitly disclose “an input block for accepting an attribute value specification or selecting operation by the user through said added-information screen; and a detail added-value information generating block for searching, in response to the specification or selection of an attribute value by the user, for a piece of content associated with the specified or selected attribute value to generate detail added-information on the basis of the obtained piece of content; wherein said presentation-information transmitting block presents said detail added-information to the user”.

Macrae discloses “an input block for accepting an attribute value specification or selecting operation by the user through said added-information screen([0109], [0110], i.e. user selects “Info” button 830); and a detail added-value information generating block for searching, in response to the specification or selection of an attribute value by the user, for a piece of content associated with the specified or selected attribute value to generate detail added-information on the basis of the obtained piece of content ([0109], [0110], [0114], Figs. 8-9, i.e. the user selects the “Info” button and the program guide applications searches for additional information to display related to the selected

show); wherein said presentation-information transmitting block presents said detail added-information to the user" ([0114], Fig. 9).

Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of displaying to the user additional information related to a program as taught by Macrae, to improve the profiling system of Schlack for the predictable result of enabling the user to request additional information related to the program so that they may better understand the content of the program to determine if they wish to view it.

Regarding **claim 37**, claim 37 is interpreted and thus rejected for the reasons set forth above in the rejection of claim 27. Claim 27 describes an information providing apparatus for providing added-value information associated with content viewing selection and claim 37 describes a method implementing the apparatus. Thus, claim 37 is rejected.

**Claims 28-31, 38-41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlack in view of Zimmerman, Macrae, and in further view of Potrebic et al. (United States Patent Application Publication 2003/0212708), herein referenced as Potrebic.

Regarding **claim 28**, Schlack fails to explicitly disclose that "said detail added-information generating block searches the viewing log information of the user for a piece of content associated with the attribute value and generates detail added-value information configured by a list of pieces of content including the viewing log".



Potrebic discloses that "said detail added-information generating block searches the viewing log information of the user for a piece of content associated with the attribute value and generates detail added-value information configured by a list of pieces of content including the viewing log" ([0062], [0063], Fig. 7, i.e. the system search the viewers log file to inform remind them that the final episode of series that they have watched will be airing). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of searching the users viewing log to inform them of shows of related to what they watched that might be of interest as taught by Potrebic, to improve the profiling system of Schlack for the predictable result of reminding the user that a show of interest will be broadcast sometime in the future so that they do not miss it.

Regarding **claim 29**, Schlack fails to explicitly disclose that "said detail added-value information generating block searches schedule information describing future content broadcast or distribution schedule for a piece of content associated with the attribute value and generates detail added-value information configured by a list of pieces of content including a broadcast or distribution schedule time".

Potrebic discloses that "said detail added-value information generating block searches schedule information describing future content broadcast or distribution schedule for a piece of content associated with the attribute value and generates detail added-value information configured by a list of pieces of content including a broadcast or distribution schedule time" ([0062], [0063], Fig. 7). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of searching schedule

information for future content broadcast and generate detailed added-value information as taught by Potrebic, to improve the profiling system of Schlack for the predictable result of reminding the user that a show of interest will be broadcast sometime in the future so that they do not miss it.

Regarding **claim 30**, Schlack fails to explicitly disclose "a content operation method is presented along with the viewing log on a detail added-value information screen, and said input block accepts the specification or selecting operation of content by the user on the detail added-value information screen to trigger a corresponding operation".

Potrebic discloses "a content operation method ("Heads Up!" reminder) is presented along with the viewing log on a detail added-value information screen, and said input block accepts the specification or selecting operation of content by the user on the detail added-value information screen to trigger a corresponding operation" ([0062], [0063], Fig. 7, i.e. the system accepts the specified program in the viewing log file and sends the user a text message and email to remind them of a future broadcast). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of displaying a content operation method and triggering a corresponding operation as taught by Potrebic, to improve the profiling system of Schlack for the predictable result of reminding the user that a show of interest will be broadcast sometime in the future so that they do not miss it.

Regarding **claim 31**, Schlack fails to explicitly disclose "a content operation method is presented along with the viewing log on a detail added-value information

screen, and said input block accepts the specification or selecting operation of content by the user on the detail added-value information screen to trigger a corresponding operation".

Potrebic discloses "a content operation method ("Heads Up!" reminder) is presented along with the viewing log on a detail added-value information screen, and said input block accepts the specification or selecting operation of content by the user on the detail added-value information screen to trigger a corresponding operation" ([0062], [0063], Fig. 7, i.e. the system accepts the specified program in the viewing log file and sends the user a text message and email to remind them of a future broadcast). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of displaying a content operation method and triggering a corresponding operation as taught by Potrebic, to improve the profiling system of Schlack for the predictable result of reminding the user that a show of interest will be broadcast sometime in the future so that they do not miss it.

Regarding **claim 38-41**, claims 38-41 are interpreted and thus rejected for the reasons set forth above in the rejection of claims 28-31. Claims 28-31 describe an information providing apparatus for providing added-value information associated with content viewing selection and claims 38-41 describe a method implementing the apparatus. Thus, claims 38-41 are rejected.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDER Q. HUERTA whose telephone number is (571) 270-3582. The examiner can normally be reached on M-F(Alternate Fridays Off) 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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August 29, 2008

/Scott Beliveau/

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Supervisory Patent Examiner, Art Unit 2623